

## ADMIT OWNERSHIP, BUT DENY CHARGE

Goulds Control New Line,  
But Will Not Extend  
to Washington.

## ATTACK MADE ON SUPREME COURT

Decision in Richmond and Chesapeake Bay Case Assailed by Mr. Christian—Commission Will Pass Later on Question of Granting Charter.

Argument for and against the issuance of a charter to the Fredericksburg and Southern Railroad Company was heard yesterday by the State Corporation Commission, which, at the conclusion of the long session, reserved decision. A large number of interested parties were present throughout the day, the feature of which proved to be a statement from Mr. Henry W. Anderson, vice-president and general manager of the Richmond and Chesapeake Bay Railroad, confirming the rumors as to the Gould ownership of the proposed new line, and describing the projected development of the water rights at Fredericksburg by Mr. Frank Jay Gould. A severe arraignment of the State Supreme Court for what was denominated as an ill-considered and ex-parte decision in the case granting the right to the Chesapeake Bay road to build to Ashland, and the assertions by Judge Embrey as to the small amount of income received by the State of Virginia from the Richmond, Fredericksburg and Potomac road, proved to be other matters of more than ordinary interest to the public.

**History of Case.**  
The proceedings were of more or less informal nature. The Corporation Commission had requested all parties who were interested in the granting of the charter to the Fredericksburg and Southern Railroad Company to be present at this time. The public hearing was presided over by Mr. William H. White, president of the Richmond, Fredericksburg and Potomac Railroad.

Judge William J. Leake opened for the Richmond, Fredericksburg and Potomac Road, presenting an intervention which he asked leave to file with the commission, the paper setting forth the legal rights and restrictions which the Legislature has thrown around the road, and the alleged plans of the Fredericksburg and Southern Railroad and its promoters looking to a line which would eventually parallel the Richmond, Fredericksburg and Potomac and compete with the latter in freight and passenger business between Richmond and the South and between Washington and points North in violation of the State's agreement, and to the detriment of the State. The State's position on the right of the State's proxies to a position on the directorate and the ownership of stock by the Board of Sinking Fund commissioners were recited. The State holds approximately one-third of the entire voting stock of the railroad.

**Connecting Links.**  
The history of the application of the Richmond and Chesapeake Bay Road for a charter to operate a line from Richmond to Tappahannock via Ashland was given, showing that the Corporation Commission had refused to issue such a charter on the ground that it would in part parallel the line of the Richmond, Fredericksburg and Potomac, as expressly forbidden by statute. This decision was overruled by the Court of Appeals in what was claimed to be a technical decision, in which no one was present for the Richmond, Fredericksburg and Potomac. The legality of that decision was questioned. The construction of the Chesapeake Bay Line was described, its capital being given at \$25,000, whereas the cost of construction, as far as Ashland was stated to have been \$750,000. All belonging to the said Frank J. Gould, as we are reliably informed.

Continuing intervention stated that it was not the apparent purpose of the Chesapeake Bay Company to build on to Tappahannock, as announced, and that since the line to Ashland has been completed no attempt has been made to extend it any further.

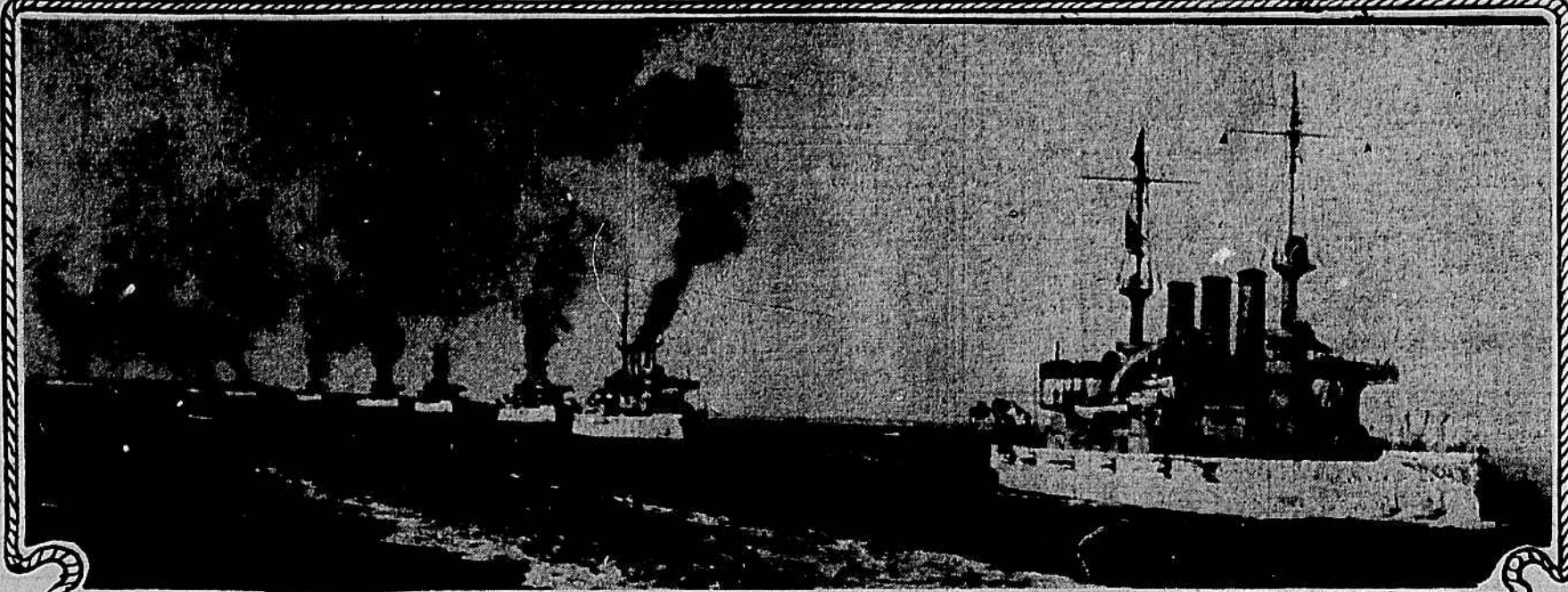
The belief was expressed that the proposed Fredericksburg Southern was but a connecting link in a future road to run from Richmond to Washington, and therefore to parallel the Richmond, Fredericksburg and Potomac. Officials of the latter declaring they were inspired by the owners of the Richmond and Chesapeake Bay Road.

**What It Means.**  
The proposed charter will give this company the right not only to operate a line from Des Moines to Fredericksburg, but to operate extensions fifty miles in either direction, under the Virginia State Constitution, thus building to Richmond and to Quantico, the paper said. "It may merge with other railroads, and so form a through line from Fredericksburg to Washington, or possibly farther North."

Clause 12, section 103B, of the Code of Virginia, in regard to the prohibiting of any road from paralleling the Richmond, Fredericksburg and Potomac, was quoted at length. It was argued that the case of application for the charter of the Richmond and Chesapeake Bay road, known in the Supreme Court records as the Wheelwright case, was not analogous to the present application, since it contemplated a line to Tappahannock, and could not be regarded as paralleling the Richmond, Fredericksburg and Potomac. "The Supreme Court was not rightfully informed of the facts in this case, since the application appeared to be a bona fide application for a line to Tappahannock," it was asserted.

The condition of the Richmond, Fredericksburg and Potomac Railroad.

## ADMIRAL EVANS' FLEET STARTING ON ITS CRUISE TO THE PACIFIC



THE FLEET IN LINE

THE CONNECTICUT

## VIOLATED SPIRIT, IF NOT LAW ITSELF

Senator Tillman Arraigns  
Secretary Cortelyou for  
the Issuing of Bonds.

## TREASURY STANDS BY WALL STREET

It Had Dumped Its Money in Financial Centre and Country  
Had Praised Patriotism of  
J. P. Morgan—Ridicules  
Clearing-House  
Certificates.

Times-Dispatch Bureau,  
Manassas, Va., Dec. 15.  
Washington, D. C., Dec. 15.

The Senate galleries were crowded to-day to hear Senator Tillman discuss the financial policy of the administration, especially the actions of the Secretary of the Treasury in sending money to Wall Street bankers and speculators to relieve financial conditions.

Mr. Tillman received the closest attention of both sides of the chamber as he proceeded. He was characteristically blunt and outspoken in many instances, but there was a great deal of plain horse sense in what he said, judging from the approval his speech commanded from Democrats and Republicans.

"I must confess I have not studied finance much," he said. "If we are not to begin Mr. Tillman's apologetically, 'my own labor in that direction having been confined to my own expenses.' Mr. Tillman said he did not know whether the criticism of the chairman of the House Committee on Banking and Currency (Mr. Fowler) had caused the Secretary of the Treasury to halt in the issuance of bonds, but a change of plan seemed to have been made, and he had not been able to learn how much of the proposed bond issue had been put out. He expressed the opinion that the secretary had violated the spirit of the law, if he had not violated the law itself. 'If we are not in the midst of a panic,' declared Mr. Tillman, 'the Treasury, he said, has dumped its money into Wall Street, and the country has missed the patriotism of Mr. Morgan.'"

(Continued on Ninth Page.)

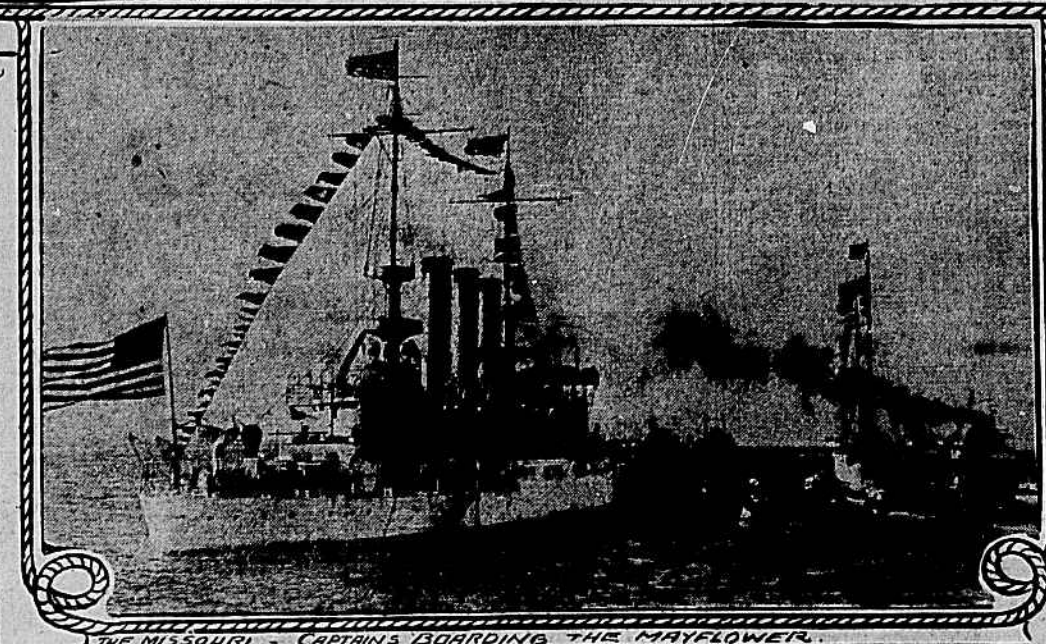
## WRIGHT CASE GOES OVER

Not to Be Tried Until February Unless Judge Mullin Fixes Earlier Date.

TAPPANNOCK, VA., December 15.—M. B. Wright, Jr., charged with the murder of his stepfather, Fred C. McDaniels, will not be tried until the next term of the Essex Circuit Court, which begins the third Monday in February, unless Judge Mullin, of Petersburg, who has been designated to sit in the case, fixes an earlier date.

Justice Wright, upon the opening of the regular term of the court to-day, stated the motion of counsel for the defense to continue the case until the next term unless Judge Mullin shall fix a special term for some time between now and February.

The case promises to be highly sensational, and the public interest is intense because of the prominence of the men involved.



THE MISSOURI—CAPTAIN BOARDING THE MAYFLOWER.

## FIND NO VERDICT IN MRS. PEEBLES'S CASE

Jurors, After Three Hours Conference, Report Hopeless Division and Are Discharged.

## ACCUSED WIFE IS UNMOVED

Shows No Sign of Emotion, Even When Jury Is Polled. All-Day Argument.

BEDFORD CITY, VA., December 15.—The trial of Mrs. Edmonia M. Peebles for the murder of her husband, O. C. Peebles, has resulted in a hung jury.

The jurors, after conferring for three hours, reported to Judge Moffett late to-night that an agreement was impossible, and they were discharged. The jury is understood to have stood seven for murder in the second degree, four for voluntary manslaughter and one for acquittal.

Mrs. Peebles showed no sign of emotion. Even the polling of the jury seemed to be regarded by her as a matter of trivial concern.

## The Argument.

The whole of to-day was devoted to the argument of counsel, which was very interesting. Mr. R. W. Kline, assistant to the Commonwealth's attorney, opened for the prosecution in a speech of an hour. He made a strong presentation of the Commonwealth's side of the case, and asked for a verdict of murder in the first degree.

Mr. R. W. Withers, who opened for the defense, made a strong argument of an hour's length. He declared that Mrs. Peebles had a right to use force sufficient to repel the attack made upon her and to follow up with force necessary to accomplish the object in view and to become the aggressor until her person was out of danger.

Mr. O. C. Rucker, of counsel for the defense, asked the jurors, as instructed by the Commonwealth's attorney, if they did not think Mrs. Peebles did right in defending herself and killing. He needs, he said, this wife-battering husband. He hoped the jury would give such a verdict that all men might know that husbands could not abuse with impunity their helpless wives, and hoped all wives would be as brave as Mrs. Peebles.

Mr. Nelson Sale, chief counsel for the defendant, made the closing plea in behalf of Mrs. Peebles, and his argument was a very able one. Mr. R. W. Withers, who closed the argument with an appeal for the dignity of the law and against silly and sentimental verdicts. He attacked the grounds of the defense, impeaching especially the interested testimony of Mrs. Peebles.

(Continued on Fifth Page.)

## BRYAN WAS NOT FOR DENVER

Nebraska Did Not Use His Influence to Defeat Louisville.

[From Our Regular Correspondent.]  
WASHINGTON, D. C., December 15.—The statement that William J. Bryan favored the selection of Denver as the city in which to hold the Democratic National Convention, and that it was his influence which caused the defeat of Louisville, is emphatically denied by members of the Kentucky congressional delegation, intimate friends of Mr. Bryan.

"Mr. Bryan told me a short time before the committee met here to select the place for the convention, that it did not make the slightest difference to him where it was held," said Representative Ollie James, of Kentucky, to-day. "He declared he had no preference whatever. I have no idea he used his influence, one way or another."

"I have not the slightest reason to believe Mr. Bryan favored Denver or any city over any other city," said Representative Shirley, of Kentucky, who led the fight for Louisville.

The contrary opinion was expressed by one of the delegation which came here to urge the selection of Louisville.

## Charged With Embezzlement.

[Special to The Times-Dispatch.]  
NORFOLK, VA., December 15.—J. H. Gatling, a young white man, was arrested to-night at the Princess Hotel on a warrant sworn out by J. C. White, Jr., on a charge of embezzling \$100. It is claimed that he was given the money to buy lumber and sent a part of it. He resisted arrest, creating considerable excitement in the hotel lobby. Gatling is a salesman.

## Baby Born With Teeth.

[Special to The Times-Dispatch.]  
NORFOLK, VA., December 15.—Mr. and Mrs. E. A. Cahoon, No. 402 Liberty Street, Arkley, has a baby boy two days old with well-developed incisor teeth. The baby was born with the teeth well out of its gums. It all other respects he is natural, well developed and healthy.

## Charged With Bigamy.

[Special to The Times-Dispatch.]  
NORFOLK, VA., December 15.—Linwood L. Owen, an iron-worker, was arrested to-night on a charge of bigamy. He is charged with marrying Miss Clara Anna White and Miss Roxanna Bell, both of this city. He denies the charge.

## Senator Mallory to Retire.

PENSACOLA, FLA., December 15.—United States Senator Stephen R. Mallory to-day announced that he will not be a candidate for reelection. He is seriously ill at his home, and realizes that he must retire from public life to regain his health.

## Jury Unable to Agree.

The case was given to the jury at 6:52. After they had been out about a half hour they came in to ask about a clerical error in the draft of the instructions about murder in the first degree. During all this time Mrs. Peebles sat calm and little moved. A big red apple was given her. She borrowed a knife from a spectator

## SHOTS AT HER ON TRAIN

George Sheavely Charged With Firing in Train at Bessie Sheavely.

[Special to The Times-Dispatch.]  
STANTON, VA., December 15.—George Sheavely, alias George Houston, was brought here to-day from Red Hill, Allegheny county, by a Chesapeake and Ohio train. He was lodged in jail for safe keeping on two warrants, one for shooting at the Chesapeake and Ohio train in Allegheny county, and one for shooting at Bessie Sheavely, who was in the train.

(Continued on Second Page.)

## SIXTY LOSE LIVES IN ALABAMA MINE

Explosion in Yolande Colliery Is  
Attributed to Ignition  
of Dust.

## USUAL FORCE NOT WORKING

Fourteen Men of the Ninety  
Working Crawl Out of the  
Shaft.

BIRMINGHAM, ALA., December 17.—A message from Yolande at midnight says thirty-five bodies have been taken from the mine, and that the rescuers believe between thirty-five and forty are still in the lower entrances.

YOLANDE, ALA., December 16.—Not since the disaster at Virginia mines, eight miles north of here two years ago, has there occurred such a catastrophe as the explosion which took place in mine No. 1, of the Yolande Coal and Coke Company, at 10:25 o'clock this morning. It is impossible to tell at this hour how many are dead as a result of the explosion, estimates varying all the way from forty to sixty-six. The work of rescue has been extremely slow, because of the debris in the mines and the large crowds of women, children and sight-seers at the opening.

The explosion is now known to have occurred in either the fifth or sixth regular entrances. All of the bodies have been recovered from these entries, and some of them were so horribly mutilated that identification is almost impossible. The list of dead recovered and identified at 10 o'clock was as follows:

White—Robert Arnold, general mine foreman; Will Tows, Tom Newell, A. B. Gureddy, Sam Wright, W. R. Stives, Nell Rider, engineer; Charley Satterfield, John Tucker, Joe Madison, Ed.

(Continued on Second Page.)

## CITY AROUSED TO DANGER OF DISEASE

Hundreds Flock to Tuberculosis Exhibit and Listen to Lectures.

## OFFICIALS AND DOCTORS SPEAK

Practical Advice Given by Physicians and Others Interested in Welfare of Citizens. Scene at Night Wonderful, Mayor Declares.

Interest and attendance on the first day of the Tuberculosis Exhibit in Richmond was more than gratifying, the big rooms at Sanger Hall being at times crowded to their full capacity. In all, 1,740 people registered, and from the expressions heard on all sides they were more than pleased with the showing made, and with the lectures delivered.

Beginning promptly at 10 o'clock, there was all day a constant stream of visitors examining the charts and maps and the model equipment of the treatment of tuberculosis. Stereoscopic lectures given by Professor Rutzahn every hour were largely attended, the illustrations showing conditions in several great cities, and how readily they have been met. A series of lectures of the life of patients on porches and in the open air was particularly instructive.

**Formal Opening.**  
The formal opening took place at 1 P. M., when a number of members of the committee were present and the exhibit was turned over to the people of the city.

Addresses by Richmond physicians and others followed, and lecture periods were also held at 4 o'clock and at 8:15 P. M., all these lectures being attended by audiences that packed every available space in the hall. At the opening Dr. Levy spoke of the spirit of helpfulness exhibited on all sides, saying that every one approached him regarding it as an actual privilege to be allowed to help.

Dr. Jacob Michaux presided at the midday lectures, making a brief address in which he expressed his appreciation of the great work being done all over the country in connection with tuberculosis, especially commending the National Association for the Study and Prevention of Tuberculosis, under the auspices of which the exhibit is given. Dr. Michaux recalled that consumption was until recently regarded as hereditary, but stated that now it has been fully shown to be contagious and that the entire medical profession accepted this teaching.

**Fundamental Facts.**  
Dr. M. P. Rucker, chairman of the Board of Health of Manchester, spoke on "Fundamental Facts in the Prevention and Cure of Tuberculosis," dealing with the subject from a well-informed standpoint.

(Continued on Second Page.)

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## GAVE EXCELLENT SERVICE

Manager Veale Handled Fleet News for the Western Union.

The Western Union Telegraph Company made extra provision to handle the press dispatches from Fort Monroe, incident to the sailing of the battle fleet yesterday. Mr. E. A. Veale, one of the best men in service in Superintendent Maxwell's division, was in charge of the office at the Sherwood Hotel, through which 40,000 words of press were handled from Wednesday until last night. Nearly all the New York newspapers were represented, with staff men from Baltimore and other cities. While clearing up their copy Manager Veale had to take care of the dispatches from the fleet, and the press men were gathered around him, awaiting the latest news. All dispatches, however, will be general and extraordinary press items will be taken to preserve official accuracy during the cruise, which will not end until the early part of May.

## FLEET STARTS WITH NATION'S GODSPEED

President, Reviewing the  
Ships, Says People  
Should Feel Proud.

## RECEIVE OFFICERS ON MAYFLOWER

Admiral Evans and Others Given  
Cordial Greetings—Scene of  
Beauty as the Big War  
Dogs Move Gracefully  
Out of Hampton  
Roads.

BY R. W. SIMPSON, JR.,  
Staff Writer.

FORT MONROE, VA., December 15.—President Roosevelt sent the battle fleet on its long voyage to the Pacific Coast to-day. Led by the flagship Connecticut, which followed the path lightly churned by the Mayflower, speeding rapidly ahead, the fifteen dogs of war trailed in behind, single file, their bands playing patriotic airs, but without bringing an answering cheer from the shore. Dropping into line like well-drilled soldiers, the ships steered straight to "Star Spangled Banner" drifting out to sea. The Mayflower turned gracefully toward Cape Henry to receive the farewell greeting of the President, and wandered out to sea. It was the most imposing naval spectacle that ever thrilled the hearts of those who watched.

On the bridge of his yacht, anchored at the tail of the Horseshoe, President Roosevelt's face beamed as he saw the column approach. Coming full abreast, the Connecticut fired a salute of twenty-one guns. Hands, handkerchiefs and hats waved godspeed from the deck nearby.

And then with the echo of the flag-ship's guns still ringing in the air, the Kansas fired as she took the position vacated by the leader, the strains of "The Star Spangled Banner" drifting out to a score of excursion craft that surged and sped around. Until the Kentucky, bringing up the rear, had reached and passed the yacht the ceremony was the same. A moment later the Mayflower turned about. She steamed toward the fleet, receiving a parting salute from a gunboat that had escorted her in. It was up to Evans now.

## Mighty Roar From the Guns.

At 3:20 o'clock this morning the Connecticut signaled. From sixteen battleships there came at once a roar, for sixteen times twenty-one shot were fired from the guns, could strike. It shook the water and foundations a handful of rods away. Moving rapidly down by Fort Monroe the guns there boomed another greeting, answered by the Mayflower as she dipped her flag. Then she turned into toward the care of the fleet and anchored. The sunlight glistened on the waters of the Roads, over which a stiff breeze kicked up myriads of whitecaps and chilled the waiting throng of spectators. The signal and the admiral, the flag and line of masts entered launches and hurried to the President's boat.

## Flagship Showed the Way.

No other move was made until they returned to their respective ships. From the mast of every member of the fleet holiday colors floated proudly, but at a given moment they all came down. Through the maze of rigging the Mayflower could be seen as she headed toward the capes, just as a parting shot came from the fort the Connecticut swung on her anchor at the bow, great volumes of smoke issuing from her funnels. But no one was worried. The lower could be seen as she moved slowly at first. Then she set the pace and showed the way. Within thirty minutes the fleet was under steam. Beyond the signal and the admiral, the flag and line of masts entered launches and hurried to the President's boat.

Long before the President arrived the shore leave officers were aboard. Every steamboat and car helped to swell the crowd that came here to-day, and those on the lower wharf saw two Japanese sent away from the Connecticut, and one weeping sailor who was late and could not get aboard. But nobody worried. The morning was bitter cold. Men and women filled every foot of space on the wharf, crowded foot promenades and windows, and stood fifteen deep to the other side of the fort. It all, to be sure, was a magnificent sight. The morning was bitter cold. Men and women filled every foot of space on the wharf, crowded foot promenades and windows, and stood fifteen deep to the other side of the fort. It all, to be sure, was a magnificent sight. The morning was bitter cold. Men and women filled every foot of space on the wharf, crowded foot promenades and windows, and stood fifteen deep to the other side of the fort. It all, to be sure, was a magnificent sight.

## Greeted by the President.

The whole ceremony, from the time the Mayflower hove into sight until the Kentucky was lost to view from here, lasted exactly four hours.

The sailing of the fleet was preceded by a reception on the quarter deck of the Mayflower, which had steamed into the Chesapeake from here, last night. President Roosevelt warmly greeted the four rear-admirals and the sixteen commanding officers of the fleet as they climbed up the starboard gangway of the yacht. He had a word of condolence and well-wishing for all, but made no formal address. The inspiring sight of the vessels gaily dressed at anchor and waiting the time to go put the President in rare good spirits. While the Mayflower was coming into position and waiting for the reception to begin, the President paced rapidly up and down the decks, anxious to obtain a view of the great double squadron from every possible vantage point. "Did you ever see such a fleet?" And such a day! "Isn't it magnificent? Oughtn't we all feel proud?" exclaimed the President.

In the midst of the reception to the higher officers he sent for the coxswain of the Louisiana's launch, and through him dispatched a special message of greeting to that ship's crew. When the surprised and embarrassed coxswain, Seaman William Chandler, had been presented to Mrs. Roosevelt, as well as to the President, and had again clambered into his launch, the President said to those about him: "I tell you our enlisted men are every thing. They are perfectly bully and